

JRM:lmj 11/07/05 P0972D

PATENT

REMARKS

Applicants respectfully request reconsideration of the application.

Claims 1-2 and 6-16 are rejected under 35 U.S.C. Section 102(e) as being anticipated by U.S. Patent No. 5,568,555 to Shamir ("Shamir").

Claims 3-5 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shamir in view of U.S. Patent No. 6,633,321 to Maurer ("Maurer").

Applicants respectfully traverse the rejection. However, the rejection is moot in view of the amendment of the claims. Claim 1 has been broadened in some respects by deleting some language. It also has been amended to include: "wherein the computer readable data storage element includes a plurality of pixels that have been selectively darkened or whitened relative to the calibration element by laser radiation to encode machine readable data in the computer readable storage element." Shamir writes a colored code matrix by exposing color film. Shamir does not suggest a plurality of pixels that have been selectively darkened or whitened relative to the calibration element to encode data. Maurer discusses use of laser radiation, but not to selectively darken or whiten to encode data. Thus, even when combined, the references do not teach all of the claim elements.

Claims 11 and 14 are also patentable over the combination of Shamir and Maurer because this combination does not teach all of the elements of these claims.

Applicants draw the Examiner's attention to new claims, which include elements that further distinguish the cited art. The art does not teach or suggest the sensitizing additive or laminate layer as claimed.

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Respectfully submitted,

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